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MAFR

12C 78-2089/1
21 June 1978

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Chairman John J. Flynt and
John Swanner, Staff Director, House Committee on
Standards of Official Conduct

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1. [] I called John Swanner, Staff Director, House Committee on Standards of Official Conduct, again inquiring as to the status of the Director's request to Chairman John J. Flynt (D., Ga.) that all of the notes of review of CIA documents be returned to the Agency. Last week I gave Swanner a listing of the notes and the number of pages in each package and the staffers who had taken them.

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2. [] Swanner put Chairman Flynt on the phone and they emphasized that they had made a demand on Mr. Leon Jaworski, Special Counsel to the Committee conducting the KCIA investigation, to return the notes. Jaworski refused claiming that CIA could not prove that the leak came from the Committee and that the CIA documents reviewed did not contain NSA information. Flynt said that he is presenting the whole matter to the full Committee for a vote and he is certain that they will vote to have the notes returned. As concerns Swanner's earlier inquiry to me to verify that Jaworski's people had access to the NSA information leaked to the press, I referred him to Mr. Duncan's, Deputy Secretary of Defense, letter to Chairman Flynt dated 1 June. Swanner said the letter is too vague and does not clearly state that the Committee was given access to the NSA information that was leaked. Swanner asked that I check this out with NSA and get back to him. I called [], Office of General Counsel NSA, on the gray line and discussed Swanner's request. [] confirmed that Jaworski's staff did review NSA documents which would have formed the basis of the leak. The documents were reviewed in the office of Deanne Seimer, General Counsel, Secretary of Defense. Notes were taken but could not be removed. Smith and I agreed it would be best that Seimer's office provide this

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Information to Chairman Flynt and Swanner. After our conversation, Smith called Seimer and she will get in touch with Flynt or Swanner tomorrow morning. Smith was not surprised by Jaworski's refusal to return the notes to CIA. He said that Jaworski had sent a very sharp letter in response to Duncan's letter of 1 June asserting that it was no proof that the Committee leaked the information.

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3. [] Both the Chairman and Swanner were most disturbed over these developments which they feel could prejudice the Agency's continued relationship with the Committee. They both supported the Director's position of concern over the leak. They again emphasized that Jaworski claims he operates independently from Chairman Flynt and answers only to the Speaker and even then he considers that he has full reign to do as he sees best.

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4. [] Chairman Flynt asked that we notify the Director that he will be calling him sometime early next week to discuss this problem.

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[]
Acting Chief, Coordination and Review Staff
Office of Legislative Counsel

Distribution:

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1 - PCS/PGL - []
1 - OLC Subject
1 - OLC Chron
OLC:PLC:jms (21 June 1978)

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